



# Lexington County Sheriff's Department

## Policy and Procedures



### **3.37 Crime Scene** (83.2.1)

***This policy sets out guidelines for the protection, security and processing of a crime scene. The effective execution of law enforcement responsibility in the investigation of crime and in the prosecution of offenders requires that information be obtained through the application of scientific knowledge and methods. There is no practical alternative. Physical evidence must be identified, collected and preserved properly, and transmitted to the security of an evidence function if that evidence is to be used for the successful prosecution of offenders. When the scope of a crime scene outweighs the abilities of the responding deputy, that deputy will notify CSI to respond.***

***The three main sources of evidence are:***

- Scene of the Crime;
- Victim, if any;
- Suspect and/or his/her environment.

***Physical evidence may:***

- Prove that a crime has or has not been committed;
- Place a suspect in contact with the victim or crime scene;
- Establish the identity of a person associated with a crime;
- Exonerate the innocent;
- Corroborate testimony;
- Cause suspects to make admissions or even confess, when confronted with that evidence;
- Be much more reliable than eyewitnesses to a crime because it does not lie, forget, or become confused;
- In its absence, provide useful information to the investigator about the suspect;
- Can assist in the development of MO's or show similar MO's.

#### ***First Deputy on the Scene*** (83.2.1)

Protection of the crime scene, which for the purpose of this policy is defined as “An area or thing being investigated by law-enforcement,” is the responsibility of the first deputy on the scene and remains with that deputy until properly relieved of that responsibility by a detective, Crime Scene Investigator (CSI) or superior officer. The goal of preserving the crime scene is to keep the site in the same physical condition as left by the perpetrator. The first deputy shall have the following responsibilities once the scene is secure:

- Provide for emergency medical assistance, as needed;
- Observe and record relevant data;
- Determine the nature and extent of the crime scene; and
- Document any action taken at the crime scene, to include all persons entering and exiting the scene via crime scene log.



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If the crime scene requires processing, the scene shall be secured and a perimeter established. The on-call CSI shall be notified to respond to the incident location to process the scene, collect and document evidence.

Once the decision is made to utilize the CSI Unit, every effort must be made to quickly secure the scene and remove all persons from within. Upon arrival of the CSI Unit, the lead CSI agent will assume control of the crime scene. Entry into the scene will be strictly limited to those persons deemed as necessary to complete the scene processing and evidence collection, as determined by the CSI in charge.

The CSI in charge will release control of the scene when critical issues of evidence collection and trace evidence have been completed.

If there is no critical on-scene processing by a CSI required, the deputy may take photographs, process for latents, and collect any items of evidence.

## **Use of Video / Photography** (83.2.2, 83.2.4b)

After a preliminary crime scene survey has been accomplished, the deputy shall determine if photographs are required. If required, photos should be taken from all angles necessary to adequately depict the scene. The photos should show where entry was made, and any damage to property or vehicles. The first image used should be of a card indicating the case number, date, time, location, and photographer.

Except as noted below for CSI and the Narcotics Task Force, all **digital** photographs that may be needed as evidence in a criminal prosecution or that were taken from within the boundaries of an active crime scene, **for whatever reason, must** be uploaded by use of the kiosk located in the evidence room lobby, to the secure server provided for that purpose (Video taken pursuant to a traffic violation will be handled under the guidelines in policy [3.53 Body-Worn and In-Car Camera](#).)

- Digital images **may not** be downloaded or copied to any other media prior to being uploaded. The digital images or digital video will be uploaded to a server assigned specifically for that purpose. The original media is to be erased and reused.
- Print film will be processed by CSI and if requested the resulting prints returned to the deputy.
- Digital audio/video recordings will be archived to the appropriate media and will be submitted to the evidence room and will be retained on the original media. If requested and appropriate, copies of the submitted images or video will be placed on a recordable CD or DVD and given to the submitting officer, if requested.
- **LCSD will not be responsible for the loss or damage to personally-owned media or personal images contained on any media.**
- Further, deputies have no expectation of privacy in any cameras, data cards or images, however stored, taken or stored on/with department issued equipment.



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**NOTE:** Images from a crime scene that is or will be under the control of CSI and/or Major Crimes, will not be captured on ANY media by a deputy not specifically assigned to that task by the supervisor on-scene unless:

- If using personally owned equipment, that person has WRITTEN permission processed through the chain to the Bureau Commander; or
- Under exigent circumstances as determined by the on-scene supervisor.

This directive includes any device, including cell phones, capable of capturing an image and video, still or moving, and transmitting or carrying away of that image or images.

Due to the extreme sensitivity of images and video captured by various means by the Narcotic Task Force, their images will be uploaded directly to an isolated mass storage device.

CSI will use appropriate media to submit shoe impressions, tire tracks or latents.

When assisting other agencies, CSI will release images taken directly to that agency.

## ***Latent Fingerprint Search*** (83.2.3, 83.2.4a)

A deputy must concentrate his efforts on physical evidence that may connect a suspect to a crime. Of these, none is more damaging to alibis and denials than fingerprints. Fingerprints are positive and specific and may establish beyond a reasonable doubt the presence of a suspect at the scene of a crime or of his handling or touching of a weapon or other object related to a crime.

The point of entry should be thoroughly searched to locate latent prints. If entry is gained through a window, the glass pane, window casing, windowsill and window frame should be carefully examined. Broken glass or small fragments may contain identifiable fingerprint patterns.

Latent prints developed with fingerprint powder should be lifted and placed on a latent print card, the print card completed, and a sketch made to show the location where the latent print was lifted. On the lift card should be documented the case number, date, time, location, and who lifted the print(s).

When processing for latent prints, consideration must be made for the size of the item to be dusted, the type of surface, and potential for destruction if moved. If movement or transporting the object will destroy latent prints, the object should be processed at the scene. Small items that can be carefully placed in a bag may be transported to Headquarters for processing, if there is a minimal likelihood of destroying the prints.

## ***Seizure of Computer Equipment*** (83.2.5)

Due to advances in computer equipment and technology, there is the potential for digital evidence to be found in a vast array of devices. The recognition and proper handling of this evidence is critical in the ability to recover this data and use it successfully during



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prosecution. For this reason, the term “**Computer**” also applies to devices such as: cell phones; thumb drives; GPS devices; fitness trackers; USB drives; digital cameras; modern gaming consoles; and/or similar devices that may contain location/contact information.

This list is by no means all inclusive and the collecting officer must be aware that any device or media capable of storing data can be of evidentiary value.

If the equipment is being seized for the purpose of recovering digital evidence, or may later result in such a search, the following guidelines should be followed:

- CSI must be called to recover any computer system that is found in a “powered-on” state. Computers can be pre-programmed to destroy data if proper procedures are not followed. While the device is “powered-on,” valuable information can be documented prior to shutdown.
- Deputies **will not** try to restart equipment that is already shutdown, unless under exigent circumstances as determined by the on-scene supervisor. *This includes cell phones.* If necessary, deputies should contact a CSI for assistance.
- Computer hardware and software may be damaged when exposed to extreme temperatures, moisture, and static charges. Deputies should therefore handle this equipment carefully and transport it to Headquarters as soon as possible.
- Wireless devices (such as cell phones or computers with wireless capabilities) require special handling due to the potential for data loss even if the device appears to be powered off. This includes but is not limited to devices having cellular, wireless broadband, Bluetooth, 802.11 variants, and Wi-Fi connectivity. CSI should be called to advise on the proper method of securing or gaining access to data from wireless type devices or equipment.
- Computer equipment entered into evidence will not be turned on prior to contacting CSI or the assigned case officer.

## **Sexual Assault Evidence Collection Kits**

Sexual Assault kits serve little evidentiary purpose unless they are submitted to a lab for analysis and preservation. EVERY effort must be made to submit the SLED paperwork as soon as possible after the kit is turned in. If they are not submitted to SLED within one year, the kits will be stored un-refrigerated per SLED protocol.

## **DNA Evidence Collection**

Collection of evidence specifically for the purpose of DNA analysis will be the responsibility of properly trained deputies. Deputies are trained and equipped according to the standards set by SLED. This agency follows the policies and guidelines set out by SLED in their [Evidence Submission Manual](#), which is available to all personnel on Power DMS.

## **Collection of Known Standards for Comparison** (83.3.1)

When the following types of physical/trace evidence are collected from a crime scene, a known standard sample should be collected for comparison, whenever possible: blood; hair; fibers; paint; wood; metal; soil; footwear/prints. This may require the issuance and execution of a search warrant or consent.



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The location of the samples should be documented on the lab request report, to include the case number, date, time, location, and who collected the evidence.

Standards for comparison should be collected by a trained deputy or qualified medical personnel.